

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

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|---------------------------|---|-----------|
| UNITED STATES OF AMERICA, |) | 8:01CR113 |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | ORDER |
| |) | |
| DAMION WELLS, |) | |
| |) | |
| Defendant. |) | |

This matter is before the court on defendant's motion to reconsider, Filing No. [162](#). On August 20, 2008, this court ordered the defendant to file a response informing the court of the reasons why he filed an untimely appeal of his motion for sentence reduction. Filing No. [157](#). Defendant failed to timely respond. Thereafter, this court ordered that the defendant's notice of appeal be denied as untimely. Filing No. [161](#). Defendant now files his motion to reconsider and asks the court to give him time to tell the court why he has not filed a timely notice. The court finds that the defendant's request lacks merit, as the sentencing order was entered on June 19, 2008, a timely appeal was not filed, and the defendant has not timely informed this court as to the reasons why the appeal was not timely filed. Accordingly, the court will deny the motion to reconsider.

THEREFORE, IT IS ORDERED that the defendant's motion to reconsider, Filing No. [162](#), is denied.

DATED this 10th day of October, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief District Judge